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Attorneys for Plaintiffs
CRYSTAL RICHARDS,
MICHAEL RICHARDS and
CAROLINE CUELLAR

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CRYSTAL RICHARDS, MICHAEL RICHARDS,)
CAROLINE CUELLAR,)
Plaintiffs,)
v.)
THE UNITED STATES OF AMERICA;)
KAWEAH DELTA HEALTHCARE DISTRICT,)
Defendants.)

Case No. 1:20-CV-00586-NONE-SAB

**STIPULATION AND ~~PROPOSED~~ ORDER
TO LIMITED CONSENT FOR U.S.
MAGISTRATE JUDGE TO ADJUDICATE
PARTIAL MOTION FOR SUMMARY
ADJUDICATION ON DEFENDANTS'
TWELFTH AFFIRMATIVE DEFENSES**

STIPULATION

In accordance with the provisions of 28 U.S.C. section 636(c)(1), the undersigned hereby stipulate and agree to limited consent to have a United States Magistrate Judge decide Plaintiffs' partial motion for summary adjudication to determine whether there are one or two \$250,000 limitations on Plaintiffs' damages for non-economic losses pursuant to California Civil Code section 3333.2 on the following affirmative defenses:

1. Defendant, The United States' Twelfth Affirmative Defense: "Plaintiffs' claims are subject to the limitations on recovery contained in the California Medical injury Compensation Reform Act, including but not limited to the limitations set forth in California Code sections 3333.1 and 3333.2 and California Code of Civil Procedure section 667.7." [Doc. 14, pp. 4-5.]

2. Defendant, Kaweah Delta Health Care District's Twelfth Affirmative Defense:
"That in the event Defendant KDHCD is found to be negligent as to the State claim against it, which is expressly herein denied, the damages for non-economic losses shall not exceed the amounts specified in California Civil Code section 3333.2." [Doc. 12, p. 5.]

IT IS SO STIPULATED.

Dated: August 13, 2021

BARADAT & PABOOJIAN, INC.

By: /s/ Adam B. Stirrup
Daniel R. Baradat
Warren R. Paboojian
Adam B. Stirrup
Attorneys for Plaintiffs
CRYSTAL RICHARDS, MICHAEL
RICHARDS and CAROLINE CUELLAR

Dated: August 13, 2021

US ATTORNEY'S OFFICE

By: /s/ Jeffrey J. Lodge [as authorized 8/6/21]
Jeffrey J. Lodge
Attorneys for Defendant
UNITED STATES

Dated: August 13, 2021

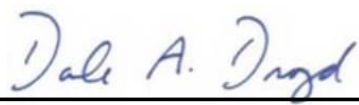
SALINAS LAW GROUP

By: /s/ Richard S. Salinas [as authorized 8/6/21]
Richard S. Salinas
Attorneys for Defendant
KAWEAH DELTA HEALTH CARE
DISTRICT

ORDER

IT IS SO ORDERED.

Dated: August 13, 2021


UNITED STATES DISTRICT JUDGE